

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-11 were pending in the application, of which Claim 1 is independent. In the Office Action dated May 21, 2003, Claims 1-11 were rejected under 35 U.S.C. §103(a). Following this amendment, Claims 1-11 remain in this application. Applicants hereby address the Examiner's rejections in turn.

I. Rejection of the Claims Under 35 U.S.C. § 103(a)

In the Office Action dated May 21, 2003, the Examiner rejected Claims 1-11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,008,559 ("*Asano*") in view of U.S. Patent No. 5,369,325 ("*Nagate*") and Applicants Prior Art (APA). Claim 1 has been amended, and Applicants respectfully submit that the amendment overcomes this rejection and adds no new matter. Claim 5 has been amended to place it in better form without adding new matter.

Amended Claim 1 is patentably distinguishable over the cited art in that it recites, for example, a plurality of projections configured to fix positional location of said permanent magnets, the plurality of projections configured to project into said permanent magnet embedding holes within said core of said rotor, at least one of the plurality of projections having a substantially planar surface portion configured to planarly contact a length of at least one side of the permanent magnet.

In contrast with Claim 1, and as admitted by the Examiner, *Asano* and APA at least do not teach or suggest a plurality of projections configured to project into

permanent magnet embedding holes. Because *Asano* and APA do not teach a plurality of projections configured to project into permanent magnet embedding holes, they also cannot teach at least one of the plurality of projections having a substantially planar surface portion configured to planarly contact a length of at least one side of the permanent magnet, as recited by amended Claim 1.

Furthermore, *Nagate* does not overcome *Asano*'s and APA's deficiencies. *Nagate* merely discloses the permanent magnets engaging tips of edges 36 and not substantially planar surface portions. Only the tips of edges 36 are engaged because *Nagate* teaches inserting the magnets with a small force. For example, *Nagate* states:

The permanent magnets 30 and 31 come into engagement with tips of the respective edges 36 as they are forced into the respective slots 25, and are thereby held within the respective slots 25. By means of the edges 36, the permanent magnets are not in surface contact with the inner peripheral surface of the respective slots 25. Accordingly, the permanent magnets 30 and 31 can be forced into the respective slots 25 with a small force without significant frictional resistance due to the contact between the permanent magnets 30 and 31, and the slots 25.

(See *Nagate*, column 11, lines 8-18.) Like *Asano* and APA, *Nagate* at least does not teach or suggest at least one of the plurality of projections having a substantially planar surface portion configured to planarly contact a length of at least one side of the permanent magnet, as recited by amended Claim 1. Accordingly, independent Claim 1 patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of the rejection of Claim 1.

Dependent Claims 2-11 are also allowable at least for the reasons above regarding independent Claim 1 and by virtue of their dependency upon independent

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

Claim 1. Accordingly, Applicants respectfully request withdrawal of the rejection of dependent Claims 2-11.

II. Conclusion

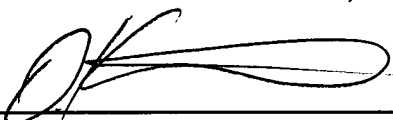
In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 19, 2003

By: 
D. Kent Stier
Reg. No. 50,640
(404) 653-6559

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com